

Washoe Tribe of Nevada and California

Environmental Protection Department



December 12, 2008

Ms. Tiffany Eastman
Region 9 Tribal NPS Coordinator Tribal Office (WTR-10)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Dear Tiffany,

Enclosed please find the Washoe Tribe of Nevada and California's proposed workplan for financial assistance under section 319h of the Clean Water Act "Base Funding" and workplan, and SF424 for the "Watershed Project". In addition the 10% waiver request and cover letter signed by the Chairman are attached. The Watershed Project has also been sent into the EPA HQ as required via grants.gov.

The Tribe's certifications are attached and due to the Tribe not having a 2009 approved Indirect Cost agreement it has not been included in the budgets. The Washoe Tribe of Nevada and California's Nonpoint Source Assessment and Management Program were approved by the Environmental Protection Agency February 2000. We feel that the implementation of this effort is essential to the protection and enhancement of the waters on Washoe Tribal lands. The Tribal Council supports this proposal and passed Tribal Resolution 202-WTC-2008 on October 22, 2008 to support this application.

We look forward to working in partnership with EPA to protect and restore water quality, watershed condition, aquatic, and riparian habitat on tribal lands. Please feel free to call me at (775) 265-8682 or email at marie.barry@washoetribe.us if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to be "Marie Barry", is written over a horizontal line.

Marie Barry, Environmental Director

cc: WEPD File
Washoe Grants Office

919 Highway 395 South, Gardnerville, Nevada 89410
(775) 265-4191 • (775) 883-1446 • (530) 694-2339 • FAX (775) 265-3211

**Washoe Tribe of Nevada & California
EPA Nonpoint Source Program FY09
Work Plan A Base
October 1, 2009 through December 31, 2010**

Description of Components & Activities	Deliverables/Outputs & Target Dates	Dates		Estimated person/yr (2080 hrs/yr)	Estimated Cost *
		Start	End		
<p>Component 1. Summarize Progress; Program Annual Evaluation/Fiscal Admin.</p> <p><i>Purpose and Need:</i> Progress reports are necessary to evaluate the effectiveness of our NPS Program. The Tribe is required to submit quarterly progress reports to the EPA and jointly evaluate grant accomplishments with the EPA Project Officer. In addition Washoe Environmental Protection Department (WEPD) is required to submit monthly progress reports to the Tribal Council. As a NPS Program recipient, the Tribe is required to adhere to administrative requirements identified in 40 CFR Part 31 and OMB Circular A-87.</p> <p><i>Goals and Objectives:</i> Meet federal administrative and reporting requirements under the NPS Program. The objective is to keep the Tribe and EPA informed of the WEPD's NPS Program accomplishments, expenditures, challenges, and activities.</p> <p><i>Approach/Responsibilities:</i> The WEPD will submit monthly reports to the Tribal Council and quarterly reports to the EPA. The Tribe's fourth quarter "final" report will assess the progress and accomplishments for the entire year. The EPA Project Officer will review WEPD quarterly reports and will provide a written evaluation "end of year report" of WEPD progress under the NPS grant. A draft of the EPA Project Officer's evaluation will be submitted to the Environmental Director for review prior to being finalized and sent to the Tribal Chair. The WEPD will submit information on this program into the Environmental Results Reporting Tool which was developed to meet the Government Performance and Results Act, which will assist in assessing program performance.</p> <p>Quarterly reports will contain the following information:</p> <ul style="list-style-type: none"> • A discussion of accomplishments as measured against the work plan commitments and anticipated environmental outputs and outcomes, for each work plan task. • A discussion of the cumulative effectiveness of the work performed under all work plan components. • A discussion of existing and potential problem areas. • Suggestions for improvement, including, where feasible, schedules for making improvements. • Status of expenditures (cumulative) for reporting period and explanations of cost overruns/under-runs if applicable. <p><i>Environmental Outcomes/Results:</i> This task will keep WEPD and the Tribe in compliance with federal reporting requirements and evaluate performance under this agreement.</p>	<ol style="list-style-type: none"> 1. Quarterly Reports to EPA (12/31/09, 3/31/10, 6/30/10, 9/30/10) 2. Final Report (Annual Report) (12/31/10 (90 days after end date) 3. Tribal Council Reports are due the first week of every month. Reports are available upon request by EPA Project Officer. 4. Financial Status Report (quarterly and 90 days after end date) 5. MBE/WBE (10/30/09, 10/30/10 and 90 days after end date) 	10/1/09	12/31/10	PD: \$44.25 x 18/hr PC: \$33.25 x 5/hr ES II: \$23.38 x 83/hr GS: \$23.38 x 9/hr F/T/O/I: Total hours: 115	\$ 797 \$ 166 \$1,941 \$ 210 \$2,837 Total: \$ 5,741

*Program Director = PD
 Program Coordinator = PC
 Environmental Specialist II = ES II
 GIS Specialist = GS
 Contractor = C

S /F//O/E= Supplies/Fringe/Other, Equipment, and Indirect
 AA = Administrative Assistant
 WM = WUMA Manager
 WT = WUMA Tech II

Washoe Tribe of Nevada & California
EPA Nonpoint Source Program FY09
Work Plan A Base
October 1, 2009 through December 31, 2010

Description of Components & Activities	Deliverables/Outputs & Target Dates	Start Dates End	Estimated person/yr (2080 hrs/yr)	Estimated Cost *
<p>Component 2. Program Capacity-Building and Coordination</p> <p><i>Purpose and Need:</i> To coordinate and schedule WEPD NPS program tasks and activities with other environmental program activities for long and short term planning.</p> <p><i>Goals and objectives:</i> To meet the goal of the NPS Program to assist tribes in developing the capacity to manage their own NPS Programs and to develop and implement BMP measures to minimize impacts to water resources. In addition to educating the tribal community on the importance of water quality protection and NPS Program.</p> <p><i>Approach/Responsibilities:</i> The WEPD Director and Coordinator will schedule and coordinate program activities. The WEPD Director and Coordinator will hire/train staff, hold staff meetings, and maintain the administrative record with the Tribal Finance Department. The WEPD staff will attend the Nevada Tribal managers meetings and other meetings regarding NPS. WEPD staff will evaluate and assist with recommendations on local stormwater issues that are impacting Tribal resources (e.g. Clear Creek, Sun Ridge, and Topsy Lane areas) In addition staff will assist other NV Tribes with NPS technical assistance. The WEPD Administrative Assistant will assist with arranging, travel, training, and record keeping of program activities. The WEPD Director and Coordinator will research and draft environmental grant proposals to assist with meeting the goals and objectives. WEPD staff will attend NPS workshops and trainings related to implementation. WEPD staff will complete NPS educational activities within the four tribal communities and other events such as Earth Day and Washoe on the River Day.</p> <p><i>Environmental Outcomes/Results:</i> This task will assist in building Tribal capacity and coordination of WEPD program activities and educate community members regarding NPS Program and issues impacting tribal lands.</p>	<ol style="list-style-type: none"> 1. Status of activities will be summarized in quarterly reports. 2. List of trainings and meeting calendars will be provided with quarterly reports. 3. Copies of presentations, and developed educational materials will be provided quarterly. 	<p>10/1/09 12/31/10</p> <p>10/1/09 12/31/10</p> <p>10/1/09 12/31/10</p>	<p>PD: \$44.25 x 10/hr PC: \$33.25 x 20/hr ES II: \$23.38 x 83/hr GS: \$23.38 x 3/hr F/T/O/I:</p> <p>Total hours: 116</p>	<p>\$ 443 \$ 665 \$1,941 \$ 70 \$2,837</p> <p>Total: \$5,956</p>

*Program Director = PD
Program Coordinator = PC
Environmental Specialist II = ES II
GIS Specialist = GS
Contractor = C

S /F//O/E= Supplies/Fringe/Other, Equipment, and Indirect
AA = Administrative Assistant
WM = WUMA Manager
WT = WUMA Tech II

Washoe Tribe of Nevada & California
EPA Nonpoint Source Program FY09
Work Plan A Base
October 1, 2009 through December 31, 2010

Description of Components & Activities	Deliverables/Outputs & Target Dates	Start	Dates End	Estimated person/yr (2080 hrs/yr)	Estimated Cost *
<p>Component 3. Implement Wellhead Protection BMP (10-12)</p> <p><i>Purpose and Need:</i> To protect groundwater resources from pollution WEPD has identified 2 abandoned wells in Woodfords Community as potential contaminant sources near Well Head Protection Areas (WHPA), that need to be properly sealed and closed.</p> <p><i>Goals and objectives:</i> The goal is to reduce potential contaminant sources from Washoe Community WHPA and protect groundwater resources by properly closing two abandoned wells.</p> <p><i>Approach/Responsibilities:</i> The Environmental Specialist and GIS Specialist will review well records and research the best closure procedure to implement on the Woodfords abandoned wells identified as PCS within the WHPA. ESII will develop closer plans and draft RFP for contractor. The Director and Coordinator will review and finalize the RFP and will send to potential contractors and assist in reviewing quotes for services and finalizing the contract with the Legal staff. ES II will oversee the contractor throughout the contract and will draft a final report. The WEPD staff will coordinate with the Washoe Utilities Management Authority (WUMA) to complete the project and continue evaluating water quality data obtained to meet the requirements under SDWA prior and after the well closures and fencing installations for 7 sites that were fenced in previous NPS efforts to protect Community drinking water sources and continue evaluations on Potential Contaminant Sources within the Well Head Protection Areas. The WUMA will conduct monthly water sampling as required under the Safe Drinking Water Act for public water systems and will provide data to WEPD to evaluate the success of the past wellhead protection NPS projects. The GIS Specialist will assist with GPS and reporting.</p> <p><i>Environmental Outcomes/Result:</i> Reporting on BMP (10-12) Wellhead Protection efforts and identification of any new potential contaminant sources (PCS). Closure of two PCS sites in WHPA and protect groundwater resources.</p>	<p>1. Status of activities will be summarized in quarterly reports.</p> <p>2. Summary of findings on implementation of BMP (10-12) due 12/31/10 "final" report.</p>	10/1/09	9/30/10	<p>PD: \$44.25 x 12/hr PC: \$33.25 x 15/hr ES II: \$23.38 x 83/hr GS: \$23.38 x 3/hr WUMA In-Kind Match: C F/T/O/I:</p> <p>Total hours: 113</p>	<p>\$ 531 \$ 499 \$1,941 \$70 (\$3,333) \$12,192 \$3,140</p> <p>Total: \$ 21,636</p>

Total Project Cost: \$33,333

In-Kind Match: \$ 3,333

Federal Cost: \$30,000


*Program Director = PD
Program Coordinator = PC
Environmental Specialist II = ES II
GIS Specialist = GS
Contractor = C


S /F//O/E= Supplies/Fringe/Other, Equipment, and Indirect
AA = Administrative Assistant
WM = WUMA Manager
WT = WUMA Tech II

Washoe Tribe of Nevada and California
EPA NPS 319h FY09
Proposed Base Budget

LINE ITEM	CALCULATION	EPA REQUEST	INKIND MATCH
Personnel			
Environmental Department Director	\$44.25/hour x 40	1,770	
Environmental Coordinator	\$33.25/hour x 40	1,330	
GIS Specialist	\$23.38/hour x 15	351	
1 FTE Environmental Specialist II	\$23.38/hour x 250	5,845	
Washoe Tribe Task 3 Tech Assistance	Washoe Utility Management Authority Manager \$33.25 x 68hr and Tech. II \$21.25 x 25hr		2,493
Subtotal Personnel		9,296	2,493
Fringe Benefits			
FICA	0.0765	711	191
SUTA	0.018	167	45
SIIS	0.0221	205	55
Health Insurance	1FT @ \$523.00mo x 6mo	3,138	192
Liability Insurance	\$40/mo x 1/12	240	
Vacation Liability	.06 of salaries	558	
Retirement Plan	.06 of salaries	558	
Subtotal Fringe		5,577	483
Subtotal Personnel & Fringe		14,873	2,976
Operating Costs (Travel)			
Non Local Travel	1 flight/per d/rental car/motel	1,500	
Travel (local)	1,000 miles x \$.585	585	
Subtotal Travel		2,085	
Supplies			
Office Supplies	general office supplies	250	
Subtotal supplies		250	
Contractual			
Lab fees			357
Contractor for well closure		12,192	
Subtotal Contractual		12,192	357
Other			
Communications and maintenance	phones,elec, internet, postage etc.	600	
Subtotal other		600	
Total Direct Costs		30,000	3,333
Indirect costs @12.02% minus contractual and equipment			
Total Project Costs		30,000	3,333

* Anticipated 10% hardship match

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		ASSISTANCE ID NO.			DATE OF AWARD 11/19/2010
			PRG	DOC ID	AMEND#	
			C9 -	00T09301	- 1	
			TYPE OF ACTION No Cost Amendment			
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center, Fax (702) 798-2423			MAILING DATE 11/19/2010
RECIPIENT: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410 EIN: 88-0120754			PAYEE: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410			ACH# 90103
PROJECT MANAGER Marie Barry 919 Highway 395 South Gardnerville, NV 89410 E-Mail: marie.barry@washoetribe.us Phone: 775-265-8682		EPA PROJECT OFFICER Stephanie Wilson 75 Hawthorne Street, WTR-10 San Francisco, CA 94105 E-Mail: Wilson.Stephannie@epa.gov Phone: 775-885-6190		EPA GRANT SPECIALIST GwenL Brown Grants Management Office, MTS-7 E-Mail: Brown.GwenL@epa.gov Phone: 415-972-3661		
PROJECT TITLE AND EXPLANATION OF CHANGES Nonpoint Source Management Program The purpose of this project is to complete streambank stabilization and erosion control activities along the creek to reduce water pollution from excessive sediment and nutrient contamination on the reservation. In addition, activities will include program capacity building, wellhead protection well sealing and education to achieve the goal of identifying, controlling and abating impacts of nonpoint source pollution on the reservation. This amendment extends the budget and project period ending dates to December 31, 2011. There is no change to the federal funding amount of \$180,000.						
BUDGET PERIOD 10/01/2009 - 12/31/2011		PROJECT PERIOD 10/01/2009 - 12/31/2011		TOTAL BUDGET PERIOD COST \$200,000.00		TOTAL PROJECT PERIOD COST \$200,000.00
NOTICE OF AWARD Based on your application dated 04/27/2009, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$0. EPA agrees to cost-share 90.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$180,000. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.						
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)				AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105				ORGANIZATION / ADDRESS U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY						
SIGNATURE OF AWARD OFFICIAL Digital signature applied by EPA Award Official		TYPED NAME AND TITLE Carolyn Truong, Grants Management Officer				DATE 11/19/2010
AFFIRMATION OF AWARD BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION						
SIGNATURE		TYPED NAME AND TITLE Waldo W. Walker, Chairman				DATE

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement		ASSISTANCE ID NO.			DATE OF AWARD 06/26/2009		
			PRG	DOC ID	AMEND#			
			C9 - 00T09301 - 0			TYPE OF ACTION Continuation		MAILING DATE 07/03/2009
						PAYMENT METHOD: Advance		ACH# 90103
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center, Fax (702) 798-2423					
RECIPIENT: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410 EIN: 88-0120754			PAYEE: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410					
PROJECT MANAGER Marie Barry 919 Highway 395 South Gardnerville, NV 89410 E-Mail: marie.barry@washoetribe.us Phone: 775-265-8682		EPA PROJECT OFFICER Stephanie Wilson 75 Hawthorne Street, WTR-10 San Francisco, CA 94105 E-Mail: Wilson.Stephania@epa.gov Phone: 775-885-6190		EPA GRANT SPECIALIST GwenL Brown Grants Management Office, MTS-7 E-Mail: Brown.GwenL@epa.gov Phone: 415-972-3661				
PROJECT TITLE AND DESCRIPTION Nonpoint Source Management Program The purpose of this project is to complete streambank stabilization and erosion control activities along the creek to reduce water pollution from excessive sediment and nutrient contamination on the reservation. In addition, activities will include program capacity building, wellhead protection well sealing and education to achieve the goal of identifying, controlling and abating impacts of nonpoint source pollution on the reservation. This assistance agreement provides full EPA funding in the amount of \$180,000.								
BUDGET PERIOD 10/01/2009 - 12/31/2010		PROJECT PERIOD 10/01/2009 - 12/31/2010		TOTAL BUDGET PERIOD COST \$200,000.00		TOTAL PROJECT PERIOD COST \$200,000.00		
NOTICE OF AWARD Based on your application dated 04/27/2009, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$180,000. EPA agrees to cost-share 90.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$180,000. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.								
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)				AWARD APPROVAL OFFICE				
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105				ORGANIZATION / ADDRESS U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105				
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY								
SIGNATURE OF AWARD OFFICIAL Digital signature applied by EPA Award Official		TYPED NAME AND TITLE Carolyn Truong, Grants Management Officer			DATE 06/26/2009			
AFFIRMATION OF AWARD								
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION								
SIGNATURE		TYPED NAME AND TITLE Waldo W. Walker, Chairman			DATE			

C9 - 00T09301 - 0 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 180,000	\$ 180,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 20,000	\$ 20,000
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 200,000	\$ 200,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.460 - Nonpoint Source Implementation	Clean Water Act: Sec. 319(h)	40 CFR PTS 31 & 35 SUBPT B

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	0909W0E035	09	E1	09LA0D5	202B01E	4117			180,000
									180,000

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$86,350
2. Fringe Benefits	\$33,714
3. Travel	\$6,340
4. Equipment	\$13,425
5. Supplies	\$2,654
6. Contractual	\$30,509
7. Construction	\$0
8. Other	\$10,575
9. Total Direct Charges	\$183,567
10. Indirect Costs: % Base	\$16,433
11. Total (Share: Recipient <u>10.00</u> % Federal <u>90.00</u> %.)	\$200,000
12. Total Approved Assistance Amount	\$180,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$180,000
15. Total EPA Amount Awarded To Date	\$180,000

Detailed Table B Budget Page: 1

Table B - Program Element Classification (Non-construction)	Total Approved Allowable Budget Period Cost
1. The recipient had made satisfactory progress during the previous fiscal year in meeting the milestones specified in its NPS Management Plan.	\$
2.	\$
3. In accordance with 40 CFR 35.635, EPA approves the Tribe's request for a financial hardship waiver. The approval reduces the Tribe's non-federal match from 40% to 10% for the CWA Section 319 Grant Agreement.	\$
4.	\$
5.	\$
6.	\$
7.	\$
8.	\$
9.	\$
10.	\$
11. Total (Share: Recip % Fed %)	\$
12. Total Approved Assistance Amount	\$

Administrative Conditions

1. An interim Financial Status Report (FSR), Standard Form 269A (Rev. 7/97), covering the period from "project/budget period start date" to September 30 of each calendar year shall be submitted to the Grants Management Office, MTS-7, no later than December 31 of the same calendar year. **The initial FSR is due December 30, 2010.** The final FSR covering the entire project period shall be submitted to the U.S. EPA Las Vegas Finance Center, PO Box 98515, Las Vegas, NV 89193-8515, within 90 days after the end of the project period according to the recipient's respective Code of Federal Regulations Part 30.52(a)(1)(iv) and 30.71(a), or Part 31.23(b) and 31.41(b) (as applicable). The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Financial Status Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

2. The recipient will provide timely reporting of cash disbursements and balances through annual submission (January - December) of a Federal Cash Transactions Report (SF272 and SF272A). The appropriate reports must be submitted to the Las Vegas Finance Center within 15 working days following the end of each calendar year. The recipient may access these forms and the instructions for submission at <http://www.epa.gov/ocfo/finservices/payinfo.htm>.

3. In accordance with OMB Circular A-133, which implements the Single Audit Act, the recipient hereby agrees to obtain a single audit from an independent auditor if it expends \$500,000 or more in total Federal funds in any fiscal year. Within nine months after the end of a recipient's fiscal year or 30 days after receiving the report from the auditor, the recipient shall submit a copy of the SF-SAC and a Single Audit Report Package. For fiscal periods 2002 to 2007 recipients are to submit hardcopy to the following address:

Federal Audit Clearinghouse
1201 East 10th Street
Jeffersonville, IN 47132

For fiscal periods 2008 and beyond the recipient MUST submit a copy of the SF-SAC and a Single Audit Report Package, using the Federal Audit Clearinghouse's Internet Data Entry System. Complete information on how to accomplish the 2008 and beyond Single Audit Submissions you will need to visit the Federal Audit Clearinghouse Web site: <http://harvester.census.gov/fac/>.

4. The recipient agrees to comply with the requirements of EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under assistance agreements as set forth in 40 CFR Part 33. The EPA DBE rule can be accessed at <http://www.epa.gov/osbp>. In addition, the recipient agrees to make good

faith efforts whenever procuring construction, equipment, services and supplies under an EPA assistance agreement, and to ensure that sub-recipients, loan recipients, and prime contractors also comply with 40 CFR Section 33.301. Records documenting compliance with the six good faith efforts shall be retained.

Pursuant to 40 CFR, Section 33.412, Tribal and Insular Area recipients are not required to negotiate fair share goals with EPA until May 27, 2011. Thereafter, Tribal and Insular Area recipients are required to adhere to the full requirements of 40 CFR, Part 33, Subpart D, as applicable.

A recipient of a Continuing Environmental Program Grant or other annual grant agrees to create and maintain a bidders list. A recipient of an EPA financial assistance agreement to capitalize a revolving loan fund also agrees to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Refer to 40 CFR Section 33.501 (b) and (c) for specific requirements and exemptions.

5. The recipient agrees to complete and submit to the Grants Management Office, MTS-7, a MBE/WBE Utilization Report (EPA Form 5700-20A), within 30 days after the end of the Federal fiscal year; i.e., by October 30 of each calendar year. Negative reports are required. Only procurements with certified MBE/WBEs are counted towards a recipient's MBE/WBE accomplishments. A final MBE/WBE report must be submitted within 90 days after the end of the project period. Your grant cannot be officially closed without all MBE/WBE reports. EPA Form 5700-52A may be obtained from the EPA Office of Small Business Program's Home Page on the internet at www.epa.gov/osbp.

6. When procuring services, equipment, and/or supplies under this assistance agreement, the recipient will follow the same policies and procedures it uses for procurements from its non-Federal funds. The recipient will follow their own procurement policies and procedures provided that the policies and procedures conform with EPA regulations 40 CFR Part 31.36 or 30.44 (as applicable) which state that all procurement transactions will be conducted in a manner providing full and open competition.

7. Payment to consultants. Per 40 CFR **Part 31.36(j)**, EPA's participation in the salary rate (excluding overhead and travel) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule, to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills and if the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. As of January 1, 2009, the rate is \$587.20 per day and \$73.40 per hour. This rate does not include overhead or travel costs and the recipient may pay these in accordance with its normal travel practices.

Subagreements with firms or individuals for services which are awarded using the

procurement requirements in 40 CFR Parts 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR Part 31.36(j)(2) or Part 30.27(b).

8. The recipient's last approved indirect cost rate has expired. The recipient will not charge or claim for reimbursement any indirect costs unless a current indirect cost rate proposal covering the time period of the costs being claimed for reimbursement is approved by the Department of Interior (DOI), National Business Center.

9. The recipient shall ensure that no grant funds awarded under this assistance agreement are used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. The recipient shall abide by its respective 2 CFR 220, 225, or 230 (formerly OMB Circular A-21, A-87, or A-122), which prohibits the use of federal grant funds for litigation against the United States or for lobbying or other political activities.

10. In accordance with the policies set forth in EPA Order 1000.25 and Executive Order 13423 (Strengthening Federal Environmental, Energy and Transportation Management dated January 24, 2007), the recipient shall use recycled paper and double sided printing for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration.

11. The recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act.

12. The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award.

Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at http://www.access.gpo.gov/nara/cfr/waisidx_06/40cfr36_06.html.

13. The recipient shall fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons)." The recipient is responsible for ensuring that any lower tier covered transaction as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. The recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. The recipient acknowledges that failing to disclose the information as required at 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at www.epls.gov. This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

Programmatic Conditions

P1. This grant work program is subject to the statutory "satisfactory progress" provision prescribed in Section 319(h)(8) and the EPA policy on Performance Based Assistance (May 31, 1985).

P2. Modifications to the approved workplan, budget, or schedule including changes, additions, or deletions, shall be submitted in a timely manner to the EPA Project Officer for approval.

P3. Any management practices implemented for the project must be properly operated and maintained for the intended purposes during its life span. Operation includes the administration, management, and performance of non-maintenance actions needed to keep the completed practice safe and functioning as intended. Maintenance includes work to prevent deterioration of the practice, repairing damage, or replacement of the practice to its original condition if one or more components fail. Management practices and projects that are damaged or destroyed due to a natural disaster (e.g., earthquakes, storm events, floods, etc) or events beyond the control of the grantee are exempt from this condition.

P4. The grantee shall prepare and submit quarterly progress reports to self evaluate and to joint evaluate annual performance under the grant including: status of each workplan goal, task, and deliverable; status of expenditures for the reporting period; summary of accomplishments including the reporting of environmental results and discussion of problems impacting or expected to impact performance; and tasks not on schedule and proposed dates of completion. Each report is due on the 30th day after the end of the quarter, i.e., January 30, April 30, July 30, and October 30. The recipient shall submit a final report within 90 days of the end of the project period.

END OF DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

April 9, 2012

Ms. Marie Barry
Environmental Director
Environmental Protection Department
Washoe Tribe of Nevada and California
919 Highway 395 South
Gardnerville, Nevada 89410

Subject: EPA's End of Project/Grant Evaluation of the Washoe Tribe of Nevada and California's
FY09 CWA Section 319 Grant.

Dear Ms. Barry:

EPA has reviewed the Washoe Tribe of Nevada and California's performance under Clean Water Act Section 319 grant (Grant C9-00T09301) for the budget and project periods of 10/1/2009 through 12/31/2011. This review was based on the annual and quarterly reports submitted. We have concluded that you performed satisfactorily in all five core areas of grant performance (properly managed equipment, work plan progress, sufficient funds to complete the project, complying with all programmatic terms and conditions, and complying with all programmatic statutory and regulatory requirements). The report containing EPA's findings including success and recommendations is enclosed for your review.

Please contact me if you have any questions or comments regarding the attached report. Thank you for your continued work to protect the reservation surface and ground waters and your dedication to completing vital nonpoint source implementation projects.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephanie L. Wilson".

Stephanie L. Wilson
Project Officer

cc: Gwen Brown, Grants Management Office, PMD-7

END OF GRANT REPORT FOR THE WASHOE TRIBE OF NEVADA AND CALIFORNIA CLEAN WATER ACT FY09 319 GRANT

I. Clean Water Act Section 319

INTRODUCTION

An FY09 Clean Water Act Section 319 grant award was made to the Washoe Tribe of Nevada and California on June 26, 2009. Both base funding and competitive funding were included. The total federal funding awarded was \$180,000. The Tribe received a match waiver (per 40 CFR 35.635) decreasing the match requirement to 10%. The Tribe provided match funds in the amount of \$20,000. Project Goals and Objectives included:

- Reduce potential contaminant sources from Washoe Community Wellhead Protection Areas and protect ground water resources by properly closing two abandoned wells.
- Educate the Tribal community on the importance of water quality protection and the Nonpoint Source Program.
- Continue implementing erosion and sediment control measures at Stewart Ranch to reduce excessive sediment transport, reduce risk of possible surface and ground water contamination, decrease nonpoint source impacts through education and outreach, restore critical area function and improve hydrologic function to riparian areas.

The tasks negotiated under the workplans include:

- Program Fiscal Administration
- Program Evaluation
- Program Capacity Building and Coordination
- Implement Wellhead Protection BMP Activities
- Stewart Ranch Critical Area Stream Protection and Erosion Control Restoration Project.

II. CURRENT FINDINGS

1. All tasks funded have been completed.
2. Equipment purchases were not approved under this agreement.
3. All federal funds for this project have been expended.
4. Programmatic terms and conditions have been met.
5. Programmatic statutory and regulatory requirements have been met.

III. SUCCESSES

Activities completed include the following (as well as many others):

1. Implement Wellhead Protection BMPs:
Tribal staff had previously identified two abandoned wells in the Woodfords Community. The wells posed a threat as potential contaminant sources and were

within the Well Head Protection Area of Woodfords Community public water system. A Tribal RFP was developed and sent out to bid. Well logs were located and used to calculate the amount to properly abandon and fill in wells. The contractor was required to repair fence damage and disconnect-cap the 2 wells. Existing submersible pumps were pulled and saved for possible future reuse. Well #1 was a 6 inch diameter well filled to 240 feet. Well #3 was 8 inches in diameter and filled to a depth of 341 feet. Staff also worked with Washoe Utility Management Authority on monitoring PCS/WHPP at 4 Washoe Communities.

2. Stewart Ranch Critical Area Stream Protection and Erosion Control Restoration Project:

The Tribe completed 5 drainage related projects within Jacks Valley Creek to stabilize erosion, head cutting and incision affecting the creek channel and tributaries. The project implementation will result in reduced sediment delivery, reduced delivery of nutrients, increased bank stability, restore hydrological function in meadow and riparian areas, limit livestock impacts to critical areas, and improve NPS Program and BMP implementation knowledge through education and outreach.

Drainage 1: A 350 foot incised channel on Jacks Valley Road was assessed and the culvert outlet armored. The Tribe installed 3 large rock structures and 11 check structures.

Drainage 2: The middle culvert of Jacks Valley Road which had a large scout hole and 277 feet of incised channel was assessed. The Tribe extended the 30 inch culvert pipe, installed a 25 foot by 30 foot pre-formed rock lined scout hole and installed 6 check structures.

Drainage 3: The Tribe assessed a gully developing below an old detention basin on Jacks Valley Road. To address the gully, the Tribe installed a large drop structure.

Jacks Creek Tributary Drainage: This site had a 339 foot long head cut at the intersection with the main creek channel. The Tribe installed a 57 foot long large rock lined drop structure and a 55 foot long combined low flow crossing and collector channel to rehabilitate this section. Six large rock check structures were installed in the upstream segment at migrating headcuts.

Hot Springs Drainage: This site was impacted by a 2,000 foot long series of degraded channels and migrating head cuts. The Tribe installed 7 large rock structures, armored 1 culvert outfall and assembled a plug and pond system to enhance wet meadow development and improve water conveyance to address the 2,000 foot reach. One half mile of fencing was erected on steeper rocky slopes to protect Jack Valley Creek's riparian bank.

3. The Tribe repaired flood damaged Stewart Ranch roads on the west side of Jacks Valley road to reduce roadside sediment transport to Jacks Creek. The Tribe also reconstructed two rock structures that required minor maintenance as a result of the heavy runoff from the winter of 2010/2011

4. The Tribe worked with EPA and NRCS to host the annual Tribal Nonpoint Source Workshop. A field workday was completed on the Stewart Ranch project site where attendees learned about BMPS and participated in installing some BMPs.

IV. RECOMMENDATIONS/RESOLUTION PLAN:

None

V. EPA CONTACT:

Stephanie L. Wilson
Nevada Project Officer
EPA, WTR-10
75 Hawthorne Street
San Francisco, CA 94105-3901
(775) 885-6190